

AMENDMENT UNDER 37 C.F.R. § 1.111  
Application No.: 10/807,009

**REMARKS**

Claims 1, 2, 5-8, 10, 11, 14-20 are all the claims pending in the application. Claims 1, 7, 8, 10 and 16 have been amended. No new matter has been introduced. Claims 3-4, 9, 12 and 13 have been cancelled.

**Claim Rejections Under 35 U.S.C. 102(b)**

The Examiner has rejected claims 1-20 under 35 U.S.C. 102(b) as being allegedly anticipated by Jurafsky et al. ("Automatic detection of discourse Structure for Speech Recognition and Understanding"). In response, Applicants respectfully traverse this rejection in view of Applicants' amendments to independent claims 1, 7, 10 and 16 and further in view of the following arguments.

Specifically, independent claims 1, 7, 10 and 16 have been amended by incorporating therein limitations from dependent claims 3 and 4, and specifically by incorporating a limitation, wherein the discourse functions are determined based on a theory of discourse analysis, the theory of discourse analysis being at least one of: the Linguistic Discourse Model, the Unified Linguistic Discourse Model, Rhetorical Structures Theory, Discourse Structure Theory and Structured Discourse Representation Theory. This limitation is not taught or suggested by Jurafsky et al. for this reason, the amended claims 1, 7, 10 and 16 are not anticipated by that reference.

In more detail, the approach taken by the Jurafsky et al. reference to building a discourse function is based on a statistical method, N-gram discourse grammars and not on the formal

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discourse analysis theories such as Linguistic Discourse Model, the Unified Linguistic Discourse Model, Rhetorical Structures Theory, Discourse Structure Theory and Structured Discourse Representation Theory. In this regard, Applicants call the Examiner's attention to section 3.3 of Jurafsky et al. which describes the aforesaid N-gram discourse grammars. On the other hand, Jurafsky et al. reference makes no mention of the claimed determining discourse function based on theory of discourse analysis including Linguistic Discourse Model, the Unified Linguistic Discourse Model, Rhetorical Structures Theory, Discourse Structure Theory and Structured Discourse Representation Theory. For this reason, Jurafsky et al. does not teach or suggest all the limitations of the amended claims 1, 7, 10 and 16 and, therefore, these claims are not anticipated by Jurafsky et al.

In the Office Action, the Examiner alleges that Jurafsky et al. teaches the aforesaid limitation wherein the discourse functions are determined based on a theory of discourse analysis, the theory of discourse analysis being at least one of: the Linguistic Discourse Model, the Unified Linguistic Discourse Model, Rhetorical Structures Theory, Discourse Structure Theory and Structured Discourse Representation Theory in sections 3.2 and 3.3. Applicants carefully reviewed the aforesaid sections of Jurafsky et al. as well as reminder of that reference, but could not find any such teaching. Specifically, as stated above, in sections 3.2 and 3.3 Jurafsky et al. makes no mention of the claimed determining discourse function based on theory of discourse analysis including Linguistic Discourse Model, the Unified Linguistic Discourse Model, Rhetorical Structures Theory, Discourse Structure Theory and Structured Discourse Representation Theory.

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In this regard, Applicants respectfully submit that Jurafsky et al. reference is the applied prior art and not the Examiner's analysis. When the PTO asserts that there is an explicit or implicit teaching or suggestion in the prior art, it must indicate where such teaching or suggestion appears in the reference. See *In re Rijckaert*, 28 U.S.P.Q.2d 1955,7 (Fed. Cir. 1993). In the Office Action, the Examiner has clearly failed to do so. Thus, the amended claims 1, 7, 10 and 16 are not anticipated by Jurafsky et al.

With respect to the rejection of dependent claims 2, 5, 6, 8, 11, 14, 15 and 17-20, while continuing to traverse the Examiner's characterization of the teachings of Jurafsky et al. references used by the Examiner in rejecting these claims, Applicants respectfully submit that the rejection of claims 2, 5, 6, 8, 11, 14, 15 and 17-20 is rendered moot by the present amendment of the parent claims 1, 7, 10 and 16 and that these claims are patentable by definition, by virtue of their dependence upon the patentable claims 1, 7, 10 and 16.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880.

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Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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